

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:24-cr-00013-RK-1
	)	
FRANK C. GARNER, JR.,	)	
	)	
Defendant.	)	

**ORDER**

On August 19, 2024, Magistrate Judge W. Brian Gaddy issued his Report and Recommendation (Doc. 44) concluding that the Court should deny Defendant's Motion to Dismiss Case (Doc. 27). Defendant filed an objection to the Report and Recommendation. (Doc. 45.)

Pursuant to Federal Rule of Criminal Procedure 59(b)(3), a "district judge must consider de novo any objection to a magistrate judge's recommendation." After an independent, de novo review of the matter pursuant to 28 U.S.C. § 636(b)(1)(C), including a review of the applicable law and Defendant's objections, the Court accepts the findings and recommendations made by Magistrate Judge W. Brian Gaddy in full. Accordingly, it is hereby

**ORDERED** that the Report and Recommendation of Magistrate W. Brian Gaddy (Doc. 44) is **ADOPTED**. It is further

**ORDERED** that Defendant's objection (Doc. 45) is **OVERRULED**. It is further

**ORDERED** that Defendant's Motion to Dismiss Case (Doc. 27) is **DENIED**.

**IT IS SO ORDERED.**

s/ Roseann A. Ketchmark  
ROSEANN A. KETCHMARK, JUDGE  
UNITED STATES DISTRICT COURT

DATED: September 23, 2024